

MEETING OF

THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy. Dover, Delaware, October 8, 2008, with the following members in attendance:

Robert F. Garey, Chairman	Austin Short, Acting Secretary of Agriculture
William Vanderwende, Vice Chairman	G. Ray Staats
Lyn Davenport, Secretary	Jack Markell, State Treasurer
L. Allen Messick, Jr., Treasurer	

Absent: Joseph Wick, Theodore P. Bobola, Jr., and Kevin Coyle (representing John Hughes, Secretary of DNREC).

The following staff members were in attendance: Michael McGrath, Howard Mesick, Milton Melendez, Cathy Mesick, Scott Blaier, Robin West and Kathi Spangler.

Others in attendance: F. Michael Parkowski, Esq., Mr. Mark Davis, Mr. Russell Weinstein, Mr. Michael T. Scuse, and Mr. Michael Brown.

Chairman Garey opened the meeting with prayer at 8:30 a.m.

I. Progress Report:

Milton Melendez informed the Board that we have a total of 970 farms in preservation districts totaling 147,102 acres, with a total of 505 farms under agricultural easements totaling 88,351 acres at a cost of \$149,991,592. For PDR 14 there are a total of 145 farms comprising 13,950 acres with a value of \$149,250,000. For PDR 15 there are a total of 10 farms, comprising 612 acres, with a value of \$10,068,000. For the Forestland Preservation Program there are 28 Areas comprising 2,265 acres. For PDR 14 for Forestland Preservation there is a total of 22 Areas, comprising 2,131 acres.

Questions were asked about new applications. Discussion followed. An explanation about the monitoring of Districts was given. Michael Parkowski explained about the forestland preservation area appraisals and the negotiation process.

II. Expansion eligibility & Final Approval:

1. Zeh Expansion of the Baker Farm District, ID#N-08-08-187I. After discussion, **Jack Markell moved to accept for eligibility/final approval the Zeh Expansion of the Baker Farm District, seconded by William Vanderwende. Motion unanimously approved.**
2. Madjarosay Farm Expansion of the Sycamore Farms, Inc. District, ID#S-08-07-144B. After discussion, **Lyn Davenport moved to accept for eligibility/final approval the Madjarosay Farm Expansion of the Sycamore Farms, Inc. District, seconded by Allen Messick, Jr. Motion unanimously approved.**
3. Mast Expansion of the Whitby Farms LP District, ID#K-08-09-067N. After discussion, **Jack Markell moved to accept for eligibility/final approval the Mast Expansion of the Whitby Farms LP District, seconded by Ray Staats. Motion unanimously approved.**
4. Troyer Farm Expansion of the Westville District, ID#K-08-09-140B. After discussion, **Jack Markell moved to accept for eligibility/final approval the Troyer Farm Expansion of the Westville District, seconded by William Vanderwende. Motion unanimously approved.**

Acting Secretary Austin Short waived his right of veto for the above expansions.

- #### III. Public Comments –
- Mr. Michael Brown questioned the method of calculating the average percentage of discount for the latest Purchase of Development Rights round. Discussion followed. It was explained that the change to the average discount amount was due to a math error, and not to a change in the method of calculation.

IV. Minutes:

1. Chairman Garey asked if there were additions or corrections to the August 13, 2008 minutes. Receiving no additions or corrections to the minutes, **Allen Messick, Jr. moved the minutes be approved, seconded by Ray Staats. Motion unanimously approved.**

V. Financial Highlights:

1. Michael T. Scuse, Chief of Staff to Governor Minner, addressed the Board concerning the Wilson Estate. Mr. Scuse reported on his stewardship of the property as Executor of the will of Mr. Wilson. The property of Mr. Wilson was left to the Foundation. Mr. Michael McGrath explained to the Board that they will receive another report on this property from the staff at the November meeting.

2. Howard Mesick presented the Financial Summary for the months of August and September, 2008.

Howard informed the Foundation Board that we had, as of August 31, 2008, \$214,485.39 in the Foundation's interest bearing State of Delaware account. We no longer have an outside checking account as all disbursements are done through the State system. We received \$1,716.47 revenue from rollback taxes and \$222.00 interest income. Expenditures for the month of August totaled \$37,354.52. After discussion, **William Vanderwende moved the August Financial Report be approved as presented, seconded by Allen Messick, Jr. Motion unanimously approved.**

For the month of September there were \$205,396.98 in our State of Delaware interest bearing account, and we received \$26.64 in roll back taxes and \$212.00 interest income. Expenses for the month of September were \$27,051.31. After discussion, **Allen Messick, Jr. moved the September Financial Report be approved as presented, seconded by Ray Staats. Motion unanimously approved.**

Michael McGrath presented the estimated budget for FY'09 and FY'10. Mr. McGrath explained the changes to the budget now that everything is being done through the State of Delaware system.

VI. Executive Session

Chairman Garey asked if an Executive Session was necessary. Michael Parkowski indicated it was not necessary.

VII. Other Business.

1. ID#K-05-11-054K – Peet Expansion of the Webber-Harrison District. Review of legal action in this PDR 13 property.

Michael McGrath explained about the above property, which is to have development rights purchased in Round 13. It seems that there is some question about who owns the property, and we must wait until that is decided before we can have settlement. We would prefer to place the money in escrow and let the landowners decide who will sign our easement.

VIII. Adjournment

As there was no further business to come before the Foundation, the meeting adjourned at 9:35 a.m. The next meeting of the Foundation will be held on November 12, 2008 at the Delaware Department of Agriculture, beginning at 8:30 a.m.

Respectfully submitted,

Lyn Davenport
Secretary